

The Delta Stewardship Council (Council) intends to approve a Notice to Proceed (NOP) for publication in December 2010. This draft version of the NOP ~~includes a discussion of the Introduction, Purpose of the Notice of Preparation, Background and Need for the Project, and Project Objectives, Environmental Baseline, Preliminary Proposed Project Alternatives, Potential Environmental Effects, and Project Scoping Process.~~ has been modified in accordance with comments received at or following the October 2010 Council meeting.

The Council solicits electronic communications specifically directed to the various drafts of the NOP, as described below.

All comments will be posted on the Council web site, and staff and consultants are directed to review and consider submitted comments in preparation of revised versions of the NOP, in addition to testimony delivered at Council meetings.

~~PRELIMINARY DRAFT~~

~~INITIAL SECTIONS OF~~

FINAL NOTICE OF PREPARATION

Prepared for consideration by the Delta Stewardship Council

~~October 18~~November 8, 2010

**Not reviewed by or approved by the
Delta Stewardship Council**

**Send comments to
deltaplancomment@deltacouncil.ca.gov**

Comments received by ~~Wednesday, November 3~~Tuesday, November 23, 2010 will be considered for revisions made in developing the ~~following draft of the~~Final Notice of Preparation.

All comments received are posted to the Delta Stewardship Council web site:
<http://www.deltacouncil.ca.gov/>

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DATE ISSUED: December XX, 2010

~~PRELIMINARY DRAFT~~

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE DELTA PLAN**

INTRODUCTION

In November 2009, the California Legislature enacted SBX7 1 (Act), one of several bills passed at that time related to water supply reliability, ecosystem health, and the Delta. The Act became effective on February 3, 2010. ¹ Division 35 of this legislation, also known as the Sacramento-San Joaquin Delta Reform Act of 2009 (Delta Reform Act), requires the development of a legally enforceable, comprehensive, long-term management plan for the Delta, referred to as the Delta Plan. The Delta Stewardship Council (Council), an independent agency of the state created by the Act (Water Code Section 85200) will develop, adopt, and commence implementation of the Delta Plan by January 1, 2012 (Water Code 85300).

The fundamental purpose of the Delta Plan will be to meet the coequal goals, as defined in Water Code section 85054, and all of the inherent subgoals and policy objectives defined by statute, as identified in this Notice of Preparation (NOP). The Delta Plan will define an integrated and legally enforceable set of policies, strategies, and actions that will serve as a basis for future findings of consistency by state and local agencies with regard to specified "covered actions," as defined in Water Code section 85057.5, and for subsequent evaluation of those findings by the Council on appeal, as provided in statute and Council regulation.

The Council will serve as the lead agency for development of the Delta Plan and the Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) of 1970, as amended. This NOP has been prepared to satisfy the requirements of CEQA.

This NOP describes the Purpose of the NOP, Background, Need for the Project, Project Objectives, Environmental Baseline (including Project Location and Time Period), Potential Alternatives, Potential Environmental Effects, and Project Scoping Process.

¹ The Act modified amended Sections 29702, 29725, 29727, 29733, 29735, 29735.1, 29738, 29741, 29751, 29752, 29754, 29756.5, 29763, 29771, and 29780 of the Public Resources Code; added Sections 29703.5, 29722.5, 29722.7, 29728.5, 29759, 29773, 29773.5, and 29778.5; added Division 22.3 of the Public Resources Code; repealed Section 29762 and repealed and added Sections 29736, 29739, 29753, 29761, 29761.5, and 29764 of the Public Resources Code. The Act also added Division 35 (commencing with Section 85300) and repealed Division 26.4 of the Water Code.

PURPOSE OF NOTICE OF PREPARATION

Pursuant to CEQA, the Council is initiating preparation of an EIR for the Delta Plan. This NOP has been prepared to satisfy the requirements of CEQA to notify the public, Responsible Agencies, Trustee Agencies, the state Office of Planning and Research, ~~and~~ involved federal agencies, and Tribes that the Council intends to prepare an EIR for this project and to solicit guidance from the public and those agencies as to the scope and content of the environmental information to be included in the Delta Plan EIR.

- The NOP is an important step in initiating the Scoping Process to determine the range of issues to be addressed in the EIR. The objectives of the Scoping Process are:
- Provide an opportunity for public and agency involvement in preparation of the Delta Plan EIR,
- Help identify the scope of issues and potential impacts that must be discussed in an EIR to adequately and accurately address potential impacts of the Delta Plan, and
- Help identify a reasonable range of alternatives to the proposed project.

During development of the Delta Plan and Delta Plan EIR, the Council will consult with responsible and trustee agencies of the State of California. A "responsible agency" is a public agency, other than the lead agency, that has the responsibility for implementing ~~or approving~~ the Delta Plan, or aspects, or portions of the Delta Plan. A "trustee agency" means a state agency that has jurisdiction by law over natural resources that are held in trust for the people of the State of California and that could potentially be affected by implementation of the Delta Plan. Pursuant to Section 21080.4(a) of the Public Resources Code, responsible and trustee agencies and involved federal agencies are requested to provide, in writing, the scope and content of the environmental information that is germane to the statutory responsibilities of the agency. Responsible, trustee, and federal agencies are also requested to identify potential regulatory policies that should be considered in the baseline for the EIR.

An initial list of federal, state, and local agencies that are requested through this NOP to participate as a responsible, trustee, and federal agency is presented as Attachment 1. Though no other agencies have discretionary approval power over the Delta Plan itself, the attached list of responsible agencies includes agencies located within the proposed planning area for the EIR (described later in this NOP) that may implement actions that will be consistent with Section 85300(a)"...The Delta Plan may also identify specific actions that state or local agencies may take to implement the subgoals and strategies." At this time, a wide range of strategies and actions for implementation in the Delta Plan has been developed that could be used by agencies throughout the Delta and areas of the state that use water from the Delta watersheds. As the EIR alternatives are developed following the scoping process, the list of responsible agencies may be reduced due to specific definition of implementation strategies and actions.

~~The Delta Plan must be developed to be consistent with the Coastal Zone Management Act of 1972 (CZMA) (16 U.S.C. Sec. 1451 et seq.), or an equivalent compliance mechanism if one exists; Section 8 of the federal Reclamation Act of 1902; and the Clean Water Act (33 U.S.C. Sec. 1251 et seq.) (Water Code Section 85300(d)(1)(A)). Following the preparation of the Delta Plan in accordance with CZMA, the Council will submit the Delta Plan for approval to the U.S.~~

~~Secretary of Commerce pursuant to that act, or to other federal officials assigned responsibility for the Delta pursuant to federal statute.~~

The basis for development of the Delta Plan is described by Section 85300(d)(1)(A), as follows:

(d) (1) The council shall develop the Delta Plan consistent with all of the following:

(A) The federal Coastal Zone Management Act of 1972 (16 U.S.C. Sec. 1451 et seq.), or an equivalent compliance mechanism.

(B) Section 8 of the federal Reclamation Act of 1902.

(C) The federal Clean Water Act (33 U.S.C. Sec. 1251 et seq.).

(2) If the council adopts a Delta Plan pursuant to the federal Coastal Zone Management Act of 1972 (16 U.S.C. Sec. 1451 et seq.), the council shall submit the Delta Plan for approval to the United States Secretary of Commerce pursuant to that act, or to any other federal official assigned responsibility for the Delta pursuant to a federal statute enacted after January 1, 2010.

Following submission of the Delta Plan to the United States Secretary of Commerce, At that time, the federal agency Department of Commerce would initiate environmental documentation pursuant to the National Environmental Policy Act (NEPA) of 1970, as amended, to inform their decisions. The Delta Plan EIR will be prepared to the extent possible in a manner to facilitate future evaluation under NEPA.

BACKGROUND AND NEED FOR THE PROJECT

~~Many of these issues have been developing S~~since the 1800s, ~~e. Competition~~ for freshwater resources has escalated ~~between-among~~ water needed for fish and wildlife resources, agricultural users, municipal and industrial users, ~~and~~ power generation, ~~and flood management operations~~ within the Sacramento-San Joaquin Delta (Delta) watershed. Prior to development of water resources in California, anadromous fish were attracted upstream during storm events from fall through the spring. In this context, the term “anadromous” refers to fish species that migrate from the sea into rivers and streams to spawn in fresh water. In California, this includes species such as Chinook salmon, steelhead, green sturgeon, and striped bass. Storm flows also provided flushing flows to stimulate the movement of fish downstream from the upper reaches of the streams where spawning occurred. The river flows resulting from rain and snow also repelled saltwater intrusion in the Delta from San Francisco Bay.

Water resources and fish and wildlife resources were impacted by construction of levees, community development, and water resource projects throughout the Central Valley and foothills that modified the flow patterns, changed water quality, affected fish and wildlife, and removed native vegetation. Water supply intakes throughout the Central Valley, including major pumping plants for the State Water Project (SWP) and Central Valley Project (CVP), also caused loss of fish through entrainment, impingement, decreased Delta inflows and outflows that occurred with increased watershed diversions, and enhancement of conditions for predators. Reliance on surface water diversions has been increasing over the past 40 years as municipalities and agricultural areas have grown and groundwater basins that these users had previously relied upon have become depleted. These factors, and many others, individually and in combination contributed to the decline of fish and wildlife resources in California over the past 150 years.

1 In the past 20 years, federal and state agencies have focused on improving water quality and fish
2 and wildlife habitat affected by SWP and CVP systems. On October 30, 1992, the Central Valley
3 Project Improvement Act (CVPIA) was authorized as Title XXXIV of the Reclamation Projects
4 Authorization and Adjustment Act of 1992 (Public Law 102-575). The CVPIA amended
5 authorizations of the CVP to include fish and wildlife protection, restoration, and mitigation as
6 project purposes having equal priority with irrigation and domestic uses and fish and wildlife
7 enhancement as a project purpose equal to power generation, and to achieve a reasonable balance
8 among competing demands for use of CVP water.

9 In June 1994, federal and state agencies signed an agreement to coordinate their actions to meet
10 water quality standards to protect the Bay-Delta estuary; coordinate the operation of the SWP
11 and CVP more closely with recent environmental mandates; and develop a process to establish a
12 long-term Bay-Delta solution to address four categories of problems: ecosystem quality, water
13 quality, water supply reliability, and levee system vulnerability. This agreement led to the
14 signing of the Bay-Delta Accord by relevant state and federal agencies and interested
15 stakeholders, and implementation of the CALFED Bay Delta Program (CALFED) on December
16 15, 1994. CALFED was a consortium of eight state and ten federal agencies with management
17 and regulatory responsibilities in the Bay-Delta estuary. Phase I of the CALFED program was
18 initiated in 2000 and included a Levee System Integrity Program, Water Quality Program,
19 Ecosystem Restoration Program, Water Use Efficiency Program, Water Transfer Program,
20 Watershed Program, Storage and Conveyance. Following implementation of CVPIA and
21 CALFED programs, however, several Delta aquatic organisms which are listed as endangered or
22 threatened under the federal and/or state Endangered Species Acts continued to decline,
23 including delta smelt and certain salmonids. In response to declining populations of threatened
24 and endangered aquatic species, the U.S. Fish and Wildlife Service and National Marine
25 Fisheries Service issued several biological opinions (BOs) to modify operations of the SWP and
26 CVP facilities that resulted in reductions in export flows.

27 During this same period, the Department of Water Resources completed several studies that
28 identified a higher risk of Delta levee failure due to earthquakes than was previously understood,
29 and that the levee failures would place public lives and Delta property at risk, reduce water
30 quality of Delta water supplies, and possibly degrade ecosystems. The studies also described
31 potential adverse effects to levee integrity, water quality, and water supplies that would be
32 caused by up to 55-inches of sea level rise that could occur by 2100.

33 Delta land use patterns also have been changing over the past 150 years. Initially, the Delta was
34 primarily a seasonally-flooded wetlands. When settlers came to California in the 1840s, the Delta
35 gradually began to change, first to agricultural land uses and communities that supported
36 agricultural activities. Somewhat later, along the San Joaquin River near the confluence with the
37 Sacramento River, industrial activity began to develop in Antioch and Pittsburg. Current land
38 uses in the Primary Zone of the Delta (as described by the Delta Protection Act of 1992) remain
39 primarily agricultural and communities that support the agricultural activities.

40 Over the past 40 years, substantial urbanization has occurred along the periphery of the Delta and
41 within the Secondary Zone of the Delta (also described by the Delta Protection Act of 1992).
42 Even in the Primary Zone of the Delta, such as Grand Island, residential land uses are becoming
43 more prominent. In some areas of the Delta, managed ecosystem restoration areas have been
44 developed. Currently, there are limited or no buffer zones between the agricultural land uses and
45 the urban, residential, or ecosystem restoration land uses. The lack of buffer zones can cause

1 conflicts between users of all land uses. Expanding urban and residential uses of the Delta will
2 subject residents to higher potential risks from floods and levee failures, particularly since
3 previous levee standards were established for agricultural lands and frequently do not meet flood
4 protection levels for urban areas.

5 **Need for the Delta Plan**

6 In response to these issues, the Governor issued Executive Order 2-17-06 on September 28, 2006
7 initiating the Delta Vision process to develop a "durable vision for sustainable management of
8 the Delta." ~~The Governor appointed a Blue Ribbon Task Force which then prepared a "Delta~~
9 ~~Vision Strategic Plan" by December 2008.~~ The Executive Order presented a summary of the
10 concerns for the continued viability of the Delta and defined the following Delta issues.

- 11 • "the Sacramento-San Joaquin Delta estuary, including Suisun Bay and Marsh (hereafter
12 "Delta"), supports a unique and irreplaceable combination of environmental and
13 economic resources. The Delta is a source of water for farmlands, growing communities
14 and businesses and provides a unique estuarine habitat for many resident and migratory
15 fish and birds, some listed as threatened or endangered species. It is an area that supports
16 vital energy, transportation, communications and water facilities, and important
17 agricultural, recreational and cultural resources. The Delta is of state and national
18 significance and must be protected and managed effectively for the future well being of
19 the people and the environment.."
- 20 • "the Delta is intersected by highways, roads, and utility lines critical to regional, state and
21 interstate commerce and economy"
- 22 • "the Delta is the hub of California's two largest water distribution systems, the federal
23 Central Valley Project and State Water Project, and at least 7,000 other permitted water
24 diverters have developed water supplies from the watershed feeding the Bay-Delta
25 estuary, providing drinking water to about 23 million people and irrigation water to about
26 7 million acres of highly productive agricultural lands"
- 27 • "recent events like the Lower Jones Tract levee failure and Hurricane Katrina, and recent
28 findings that indicate a two in three chance of a major earthquake occurring in or near the
29 Delta in the next fifty years, have raised awareness and concerns about the vulnerability
30 of Delta levees. Failure of Delta levees can have devastating consequences on farms,
31 communities, roads, railways, power and fuel transmission lines, water conveyance and
32 quality, wildlife resources, and the local and state economy"
- 33 • "threats such as an aging levee system, regional climate change, rising sea levels, seismic
34 events and urbanization pose an imminent threat to the Delta"
- 35 • "recent legislation, a number of planning efforts and scientists have affirmed that current
36 uses and ecosystem health in the Delta are unsustainable over the long-term"
- 37 • "there is growing recognition that prior Delta and Suisun strategic planning efforts have
38 been too narrowly focused on only a few of the Delta's many uses and resources"

- 1 • "the combined threats and changing conditions within the Delta require immediate
2 attention because of the potentially catastrophic environmental and economic
3 consequences if timely action is not planned for and undertaken"
- 4 • "the existing complex system of Delta governance has been criticized because no one
5 level of government is fully in charge, or capable of responding in an orderly and
6 effective way to address and mitigate the range of threats to the Delta"

7 In response to decades of federal, state and local reports dealing with water, ecosystem, flood,
8 levee protection and other issues impacting the Delta, and as recommendations in the Delta
9 Vision Strategic Plan ~~and as well as~~ other studies, the Legislature adopted the Act, created the
10 Council, and required development of the Delta Plan. The Act contains the following
11 declarations of legislative intent which are relevant to the Council's preparation of the Delta Plan
12 (Sections 85001-85004 of the Water Code):

13 85001. The Legislature finds and declares all of the following:

14 (a) The Sacramento-San Joaquin Delta watershed and California's water
15 infrastructure are in crisis and existing Delta policies are not sustainable.
16 Resolving the crisis requires fundamental reorganization of the state's
17 management of Delta watershed resources.

18 (b) In response to the Delta crisis, the Legislature and the Governor required
19 development of a new long-term strategic vision for managing the Delta. The
20 Governor appointed a Blue Ribbon Task Force to recommend a new "Delta
21 Vision Strategic Plan" to his cabinet committee, which, in turn, made
22 recommendations for a Delta Vision to the Governor and the Legislature on
23 January 3, 2009.

24 (c) By enacting this division, it is the intent of the Legislature to provide for the
25 sustainable management of the Sacramento-San Joaquin Delta ecosystem, to
26 provide for a more reliable water supply for the state, to protect and enhance the
27 quality of water supply from the Delta, and to establish a governance structure
28 that will direct efforts across state agencies to develop a legally enforceable Delta
29 Plan.

30 85002. The Legislature finds and declares that the Sacramento-San Joaquin Delta,
31 referred to as "the Delta" in this division, is a critically important natural resource for
32 California and the nation. It serves Californians concurrently as both the hub of the
33 California water system and the most valuable estuary and wetland ecosystem on the
34 west coast of North and South America.

35 85003. The Legislature finds and declares all of the following:

36 (a) Originally, the Delta was a shallow wetland with water covering the area for
37 many months of the year. Natural levees, created by deposits of sediment, allowed
38 some islands to emerge during the dry summer months. Salinity would fluctuate,
39 depending on the season and the amount of precipitation in any one year, and the
40 species that comprised the Delta ecosystem had evolved and adapted to this
41 unique, dynamic system.

42 (b) Delta property ownership developed pursuant to the federal Swamp Land Act
43 of 1850, and state legislation enacted in 1861, and as a result of the construction

of levees to keep previously seasonal wetlands dry throughout the year. That property ownership, and the exercise of associated rights, continue to depend on the landowners' maintenance of those ~~nonproject~~non-project levees and do not include any right to state funding of levee maintenance or repair.

(c) In 1933, the Legislature approved the California Central Valley Project Act, which relied upon the transfer of Sacramento River water south through the Delta and maintenance of a more constant salinity regime by using upstream reservoir releases of freshwater to create a hydraulic salinity barrier. As a result of the operations of state and federal water projects, the natural salinity variations in the Delta have been altered. Restoring a healthy estuarine ecosystem in the Delta may require developing a more natural salinity regime in parts of the Delta.

85004. The Legislature finds and declares all of the following:

(a) The economies of major regions of the state depend on the ability to use water within the Delta watershed or to import water from the Delta watershed. More than two-thirds of the residents of the state and more than two million acres of highly productive farmland receive water exported from the Delta watershed.

(b) Providing a more reliable water supply for the state involves implementation of water use efficiency and conservation projects, wastewater reclamation projects, desalination, and new and improved infrastructure, including water storage and Delta conveyance facilities.

PROJECT OBJECTIVES

The fundamental purpose of the Delta Plan will be to meet the coequal goals and all of the inherent subgoals and policy objectives defined by statute. The Delta Plan will define an integrated and legally enforceable set of policies, strategies, and actions that will serve as a basis for future findings of consistency by state and local agencies with regard to projects related to the Delta (Section 85300(a)) , and for subsequent evaluation of those findings by the Council on appeal, as provided in statute and Council regulation.

Under the Act, the Delta Plan must be a legally enforceable, comprehensive, long-term management plan for the Delta (Water Code sections 85059, 85001(c), 85022(a), 85300, 85302). The primary and fundamental purpose of the Delta Plan is to meet the coequal goals and other inherent subgoals and policies defined in the Act, which in turn, will assist in determination of consistency for the state/local agency covered actions related to the Delta.

The Delta Plan project objectives are defined by the coequal goals, subgoals, and policy objectives presented in Sections ~~85084~~85054, 85020, 85021, 85022(c), and 85023 of the Water Code, as follows.

85054. "Coequal goals" means the two goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem. The coequal goals shall be achieved in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.

85020. The policy of the State of California is to achieve the following objectives that the Legislature declares are inherent in the coequal goals for management of the Delta:

- (a) Manage the Delta's water and environmental resources and the water resources of the state over the long term.
- (b) Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.
- (c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem.
- (d) Promote statewide water conservation, water use efficiency, and sustainable water use.
- (e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.
- (f) Improve the water conveyance system and expand statewide water storage.
- (g) Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.
- (h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve these objectives.

85021. The policy of the State of California is to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.

85022 (c) The Legislature finds and declares all of the following:

- (1) The Delta is a distinct and valuable natural resource of vital and enduring interest to all the people and exists as a delicately balanced estuary and wetland ecosystem of hemispheric importance.
- (2) The permanent protection of the Delta's natural and scenic resources is the paramount concern to present and future residents of the state and nation.
- (3) To promote the public safety, health, and welfare, and to protect public and private property, wildlife, fisheries, and the natural environment, it is necessary to protect and enhance the ecosystem of the Delta and prevent its further deterioration and destruction.
- (4) Existing developed uses, and future developments that are carefully planned and developed consistent with the policies of this division, are essential to the economic and social well-being of the people of this state and especially to persons living and working in the Delta.

85023. The longstanding constitutional principle of reasonable use and the public trust doctrine shall be the foundation of state water management policy and are particularly important and applicable to the Delta.

~~The fundamental purpose of the Delta Plan will be to meet the coequal goals and all of the inherent subgoals and policy objectives defined by statute. The Delta Plan will define an integrated and legally enforceable set of policies, strategies, and actions that will serve as a basis for future findings of consistency by state and local agencies with regard to their Delta-related projects, and for subsequent evaluation of those findings by the Council on appeal, as provided in statute and Council regulation.~~

PREPARATION OF THE DELTA PLAN

The Delta Plan will be completed in accordance with the requirements of Part 4 of the Sacramento-San Joaquin Delta Reform Act of 2009, including Water Code sections 85302(c) through (e), and 85303-85307, as included below.

85302

(c) The Delta Plan shall include measures that promote all of the following characteristics of a healthy Delta ecosystem:

- (1) Viable populations of native resident and migratory species.
- (2) Functional corridors for migratory species.
- (3) Diverse and biologically appropriate habitats and ecosystem processes.
- (4) Reduced threats and stresses on the Delta ecosystem.
- (5) Conditions conducive to meeting or exceeding the goals in existing species recovery plans and state and federal goals with respect to doubling salmon populations.

(d) The Delta Plan shall include measures to promote a more reliable water supply that address all of the following:

- (1) Meeting the needs for reasonable and beneficial uses of water.
- (2) Sustaining the economic vitality of the state.
- (3) Improving water quality to protect human health and the environment.

(e) The following subgoals and strategies for restoring a healthy ecosystem shall be included in the Delta Plan:

- (1) Restore large areas of interconnected habitats within the Delta and its watershed by 2100.
- (2) Establish migratory corridors for fish, birds, and other animals along selected Delta river channels.
- (3) Promote self-sustaining, diverse populations of native and valued species by reducing the risk of take and harm from invasive species.

(4) Restore Delta flows and channels to support a healthy estuary and other ecosystems.

(5) Improve water quality to meet drinking water, agriculture, and ecosystem long-term goals.

(6) Restore habitat necessary to avoid a net loss of migratory bird habitat and, where feasible, increase migratory bird habitat to promote viable populations of migratory birds.

(f) The council shall consider, for incorporation into the Delta Plan, actions designed to implement the subgoals and strategies described in subdivision (e).

(g) In carrying out this section, the council shall make use of the best available science.

(h) The Delta Plan shall include recommendations regarding state agency management of lands in the Delta.

85303. The Delta Plan shall promote statewide water conservation, water use efficiency, and sustainable use of water.

85304. The Delta Plan shall promote options for new and improved infrastructure relating to the water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals.

85305.

(a) The Delta Plan shall attempt to reduce risks to people, property, and state interests in the Delta by promoting effective emergency preparedness, appropriate land uses, and strategic levee investments.

(b) The council may incorporate into the Delta Plan the emergency preparedness and response strategies for the Delta developed by the California Emergency Management Agency pursuant to Section 12994.5.

85306. The council, in consultation with the Central Valley Flood Protection Board, shall recommend in the Delta Plan priorities for state investments in levee operation, maintenance, and improvements in the Delta, including both levees that are a part of the State Plan of Flood Control and ~~nonproject~~non-project levees.

85307.

(a) The Delta Plan may identify actions to be taken outside of the Delta, if those actions are determined to significantly reduce flood risks in the Delta.

(b) The Delta Plan may include local plans of flood protection.

(c) The council, in consultation with the Department of Transportation, may address in the Delta Plan the effects of climate change and sea level rise on the three state highways that cross the Delta.

(d) The council, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, may incorporate into the Delta Plan additional actions to address the needs of Delta energy development, energy storage, and energy transmission and distribution.

The Delta Plan also will be prepared to include performance measures as identified in Water Code section 85211, as indicated below.

85211. The Delta Plan shall include performance measurements that will enable the council to track progress in meeting the objectives of the Delta Plan. The performance measurements shall include, but need not be limited to, quantitative or otherwise measurable assessments of the status and trends in all of the following:

(a) The health of the Delta's estuary and wetland ecosystem for supporting viable populations of aquatic and terrestrial species, habitats, and processes, including viable populations of Delta fisheries and other aquatic organisms.

(b) The reliability of California water supply imported from the Sacramento River or the San Joaquin River watershed.

The Delta Plan format will be developed to address the portions of the Act listed above, and other sections as appropriate. Several concurrent planning efforts will be reviewed during preparation of the Delta Plan, including the San Francisco Bay Conservation and Development Commission Plan and California Coastal Commission (the two agencies in California considered under the Coastal Zone Management Act), Delta Protection Commission Land Use and Resources Management Plan, and Delta Protection Commission Economic Sustainability Plan. Based upon the review of the requirements of the Act, and subject to revision, it is anticipated that the Delta Plan will briefly describe the background of the Delta Plan, the legislative basis for development of the Delta Plan as described above, and description of the Delta Plan implementation related to findings, policies, implementation strategies, performance measures, and adaptive management measures. Maps could be included to define potential areas where policies and implementation strategies could be focused.

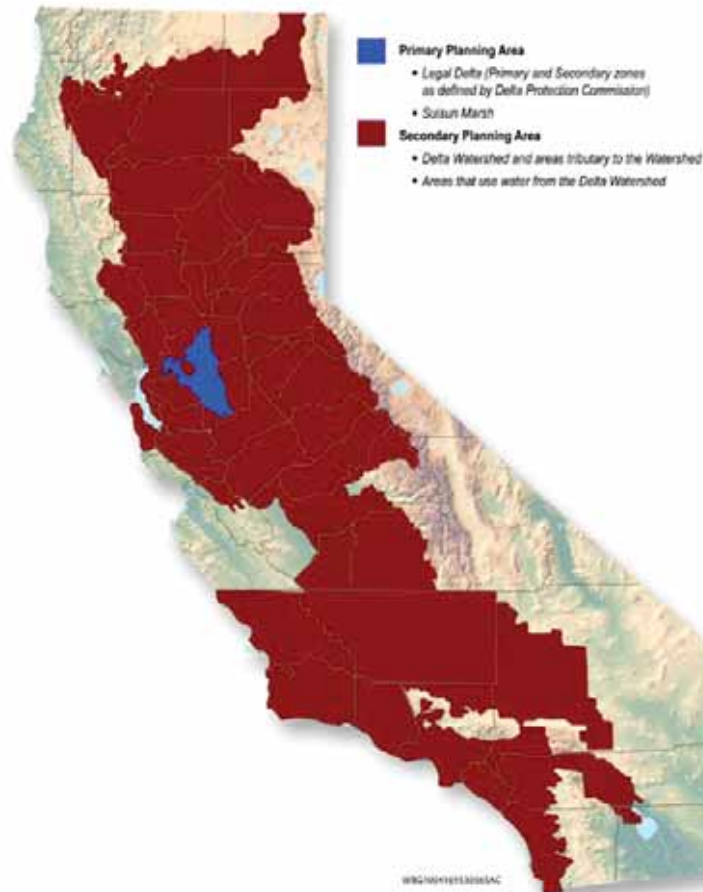
ENVIRONMENTAL BASELINE

The environmental baseline for the Delta Plan EIR defines the planning area and the study period to be addressed in the EIR.

Planning Area

The planning area to be considered in the Delta Plan EIR is defined by the purposes and uses of the Delta Plan, as defined by the Act. The primary planning area is defined as the statutory Delta and Suisun Marsh. The secondary planning area is defined by the watershed of the Delta ~~(as explained further below)~~ (including areas within the Delta watershed upstream of the Delta and the Trinity River watershed that is tributary to the Delta) and the geographical areas of California that include water agencies that ~~provide water exported from the Delta~~ use water from the Delta watershed. The primary and secondary planning areas are shown in Figure 1.

1 Figure 1.
2 Proposed Planning Area for Delta Plan Environmental Impact Report
3



Primary Planning Area - Delta and Suisun Marsh. Section 85300(a) states "The Delta Plan shall include subgoals and strategies to assist in guiding state and local agency actions related to the Delta." One of the uses of these strategies will be for state or local public agencies that propose to undertake a covered action to determine if the covered action is consistent with the Delta Plan. The term "covered action" is defined in Section 85057.5(a) generally as "a plan, program, or project as defined pursuant to Section 21065 of the Public Resources Code that...[w]ill occur, in whole or in part, within the boundaries of the Delta or Suisun Marsh."

The Act defines the term "Delta" in Section 32310(c) as "the Sacramento-San Joaquin Delta as defined in Section 12220 of the Water Code." The Act also defines the term "Suisun Marsh" in Section 32310(g) as "the area defined in Section 29101 and protected by Division 19 (commencing with Section 29000)."

Secondary Planning Area - Delta Watershed, Tributaries to the Delta Watershed and, Areas that use water from the Delta Watershed~~Outside of the Delta and Suisun Marsh~~.

The secondary planning area will extend outside of the Delta and Suisun Marsh as defined by the purposes of the strategies in the Delta Plan. The Act includes several provisions that ~~requires~~require the Delta Plan to address issues outside of the Delta, including Sections 85020, 85302(b), 85303, 85304, and 85307(a).

Section 85020(d) states that it is the policy of the State of California is to "Promote statewide water conservation, water use efficiency, and sustainable water use."

Section 85302(b) states "The geographic scope of the ecosystem restoration projects and programs identified in the Delta Plan shall be the Delta, except that the Delta Plan may include recommended ecosystem projects outside the Delta that will contribute to achievement of the coequal goals."

Sections 85303, 85304, and 85307(a) address areas that may extend outside of the Delta with respect to water resources management, including "The Delta Plan shall promote statewide water conservation, water use efficiency, and sustainable use of water" (Section 85303), and "The Delta Plan shall promote options for new and improved infrastructure relating to the water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals" (Section 85304). Section 85307(a) states that "The Delta Plan may identify actions to be taken outside of the Delta, if those actions are determined to significantly reduce flood risks in the Delta."

Study Period

The study period to be considered in the Delta Plan EIR also is defined by the purposes and uses of the Delta Plan. As described above, the Delta Plan will define an integrated and legally enforceable set of policies, strategies, and actions that will serve as a basis for future findings of consistency by state and local agencies with regard to their Delta-related projects, and for subsequent evaluation of those findings by the Council on appeal, as provided in statute and Council regulation. This requires a Delta Plan based on long-term perspective with the acknowledgement in the Act, that the "council shall review the Delta Plan at least once every five years and may revise it as the council deems appropriate" (Section 85300(c)).

The Act includes references to two quantifiable long-term goals. The first reference is in Section 85302(e)(1) to "Restore large areas of interconnected habitats within the Delta and its watershed

by 2100." The second reference is to the incorporation of the Bay Delta Conservation Plan (BDCP) if the BDCP meets the requirements of Sections 85320 and 85321, including that the Department of Fish and Game approves the BDCP as a Natural Community Conservation Plan (NCCP) and that the BDCP be approved as a Habitat Conservation Plan (HCP) pursuant to the federal Endangered Species Act. As of October 14, 2010, the BDCP applicants' website indicates that the NCCP and HCP permits would be for a 50-year period that would commence in mid-2012 and extend until 2062.

To provide the long-term perspective and accommodate these quantifiable goals, the Delta Plan EIR will evaluate conditions with and without the project alternatives through the Year 2100, ~~in accordance with the requirements of both CEQA and NEPA. Adoption of this time frame allows for reasonable staging of progress to achieve the coequal goals and strategies and actions of the~~ Delta Plan.

PRELIMINARY PROPOSED PROJECT AND POTENTIAL ALTERNATIVES

In accordance with CEQA, an EIR is required to describe the proposed project and a range of reasonable alternatives that would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. As previously described, the Delta Plan EIR will be prepared to the extent feasible to facilitate future evaluation of the Delta Plan in accordance with NEPA. Towards that objective, the range of alternatives considered in the Delta Plan EIR will be developed to provide a reasonable range of alternatives that meet the purpose and need of the proposed project and address one or more significant issues related to the proposed project, in accordance with NEPA requirements.

The Delta Plan will be developed to provide strategies and subgoals to meet the coequal goals and policy objectives, as described above in the Project Objectives section. The coequal goals and policy objectives will be used to define implementation ~~measures~~ strategies for the proposed project and alternatives in ~~five-six~~ major areas, as shown on Figure 2, described below. The Delta Plan will provide the Council bases for integrating, adjusting and choosing among possibly competing and conflicting strategies and actions.

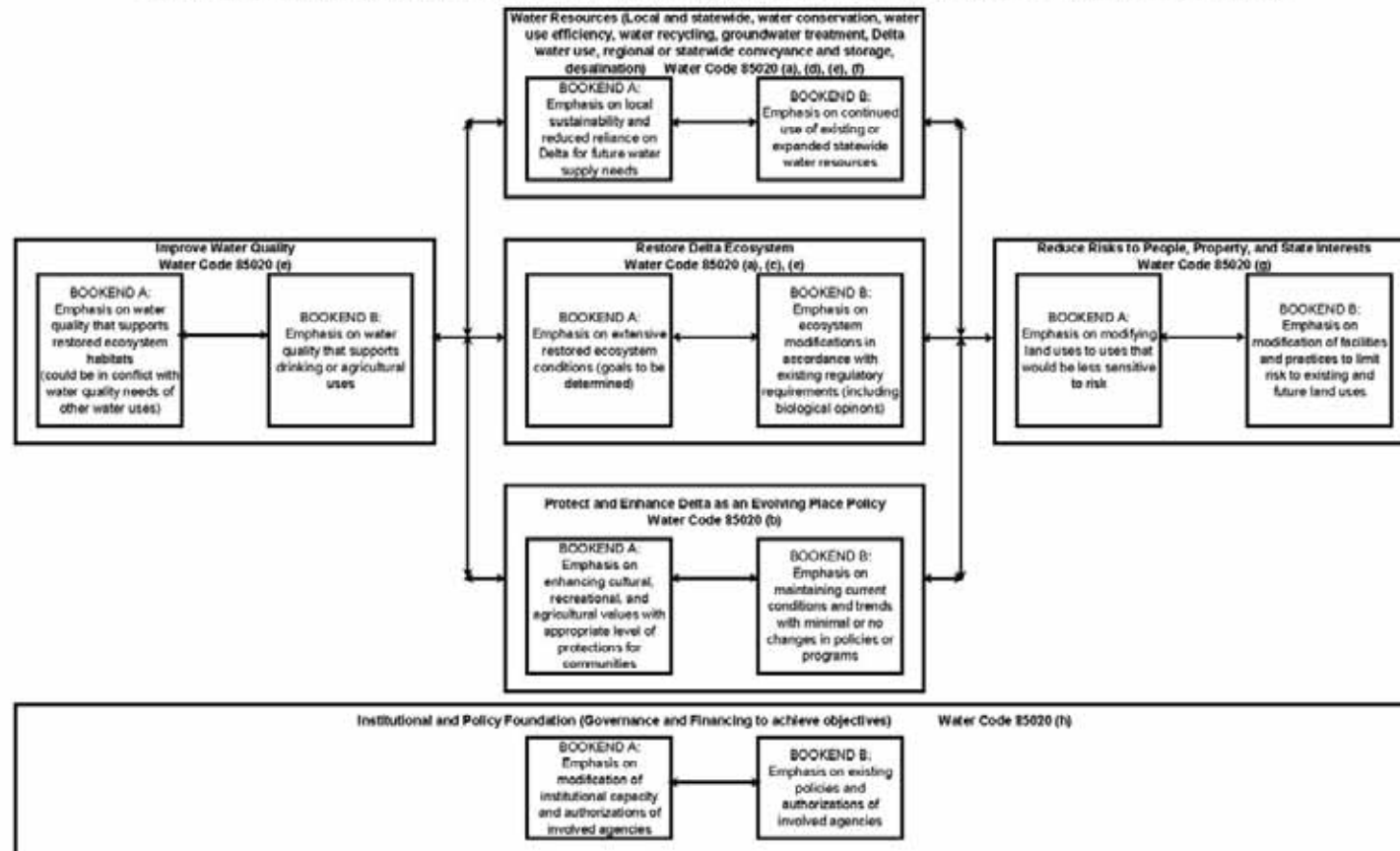
The NOP describes ~~individual examples of broad concepts for~~ implementation ~~measures~~ strategies or concepts that could be considered in the development of alternatives. Information collected during the scoping process will be used to identify and specifically define a wide range of these ~~concepts~~ strategies, compare the ~~concepts~~ strategies to determine conflicts and opportunities, and compile the ~~concepts~~ strategies into alternatives that address all of the goals and policy objectives of the Act. This process will be conducted at public Council meetings using information from previous Council meetings, ~~and~~ the scoping process, and other input.

In accordance with Section 85308, the Delta Plan and the Delta Plan EIR will:

(a) "Be based on the best available scientific information and the independent science advice provided by the Delta Independent Science Board.

(b) Include quantified or otherwise measurable targets associated with achieving the objectives of the Delta Plan.

FIGURE 2. PRELIMINARY CONCEPT FOR DEVELOPMENT OF ALTERNATIVES FOR THE DELTA PLAN ENVIRONMENTAL IMPACT REPORT



COEQUAL GOALS - BASIS FOR DEVELOPMENT OF EIR ALTERNATIVES AND PROPOSED PROJECT

Section 85620: The policy of the State of California is to achieve the following objectives that the Legislature declares are inherent in the coequal goals for management of the Delta:

- (a) Manage the Delta's water and environmental resources and the water resources of the state over the long term.
- (b) Protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place.
- (c) Restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem.
- (d) Promote statewide water conservation, water use efficiency, and sustainable water use.
- (e) Improve water quality to protect human health and the environment consistent with achieving water quality objectives in the Delta.
- (f) Improve the water conveyance system and expand statewide water storage.
- (g) Reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection.
- (h) Establish a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve these objectives.

(c) Where appropriate, utilize monitoring, data collection, and analysis of actions sufficient to determine progress toward meeting the quantified targets

(d) Describe the methods by which the council shall measure progress toward achieving the coequal goals

(e) Where appropriate, recommend integration of scientific and monitoring results into ongoing Delta water management

(f) Include a science-based, transparent, and formal adaptive management strategy for ongoing ecosystem restoration and water management decisions."

The implementation strategies initially will be developed for the six major areas identified for feasible and reasonable implementation strategies. The evaluation criteria could include technical feasibility, feasibility of continued use of existing infrastructure or extent of modifications to accommodate aging processes or climate change, potential conflicts with other criteria or other implementation strategies, ability to implement in a timely manner, feasibility due to changing conditions related to climate change or sea level rise, and ability to meet the objectives of the Act. The feasibility of the implementation strategies could be considered with respect to implementation in the near-term as well as by 2100. Many strategies, including ecosystem restoration and levee improvements, could require several decades to implement before improvements could be evaluated and benefits or detriment determined. An EIR generally does not consider costs of implementation strategies. However, because the Delta Plan also will include Finance and Governance plans, the affordability and/or cost-benefit comparisons could be considered in the initial evaluation of implementation strategies. The next step will be to combine the implementation strategies into alternatives that will be evaluated in detail in the EIR to analyze and formulate the proposed project.

In the event that the programs identified in the Act are not completed during preparation of the Delta Plan EIR, such as Central Valley Flood Protection Board and BDCP studies, the Council may choose to examine, evaluate, and include portions or all of the elements of available information on these studies. The EIR also could consider sub-alternatives to allow an alternative to be evaluated with and without assumptions related to the other plans referred to in the Act.

Water Resources Improvements

Sections 85020(a), (d), and (f) address the objectives to manage the Delta's resources of the state over the long term; promote statewide water conservation, water use efficiency, and sustainable water use; and improve the water conveyance system and expand statewide water storage.

Section 85021 states that it is the "policy of the State of California to reduce reliance on the Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Each region that depends on water from the Delta watershed shall improve its regional self-reliance for water through investment in water use efficiency, water recycling, advanced water technologies, local and regional water supply projects, and improved regional coordination of local and regional water supply efforts.

Sections 85302(a) and (d) address implementation of a reliable water supply. Section 85302(a) states that "The implementation of the Delta Plan shall further the restoration of the Delta

ecosystem and a reliable water supply." Section 85302(d) states that the Delta Plan shall include measures to promote a more reliable water supply, as cited above under Project Objectives. Also as stated above, Section 85303 and 85304 state that the Delta Plan shall promote statewide water conservation, water use efficiency, and sustainable use of water; and options for new and improved infrastructure relating to the water conveyance in the Delta, storage systems, and for the operation of both to achieve the coequal goals.

Alternative implementation ~~measures-strategies~~ to meet these objectives will include, but not be limited to the following ~~concepts~~. These ~~concepts-strategies~~ shall include specific performance objectives.

- **Water Conservation, Water Use Efficiency, and Sustainable Water Use, including improved Regional Self Sufficiency:**

- Urban water conservation requirements that fully meet the requirements under SBX7 7 ~~of that requires~~ a 20 percent reduction in per capita urban water use throughout California by December 31, 2020. The Delta Plan also could consider actions or programs to facilitate compliance with these requirements.

- Urban water conservation requirements that ~~expand upon objectives would be~~ more stringent than urban water use targets under SBX7 7, such as:

- Achievement of 20 percent or higher reduction in per capita water use for major urban water suppliers over the planning period.

- Region-specific irrigated landscape criteria to reduce outdoor water use.

- Mandated water use criteria for appliances sold in California, similar to limits on flush toilets established 30 years ago.

- Mandated building code changes to require modification of irrigation plumbing or other outdoor water use features, such as ~~pool~~ ~~eovers~~ limitations on irrigated areas or types of vegetation, when building permits were approved for existing structures, similar to mandated replacements for low-flush toilets in many communities.

- Urban water conservation programs that would extend implementation of most of all of the measures identified in the Water Code Division 6, Section 10631(f), including:

- Water survey programs for single-family residential and multifamily residential customers.

- Residential plumbing retrofit.

- System water audits, leak detection, and repair.

- Metering with commodity rates for all new connections and retrofit of existing connections.

- Large landscape conservation programs and incentives.

- High-efficiency washing machine rebate programs.

- Public information programs.
- School education programs.
- Conservation programs for commercial, industrial, and institutional accounts.
- Wholesale agency programs.
- Conservation pricing.
- Water conservation coordinator.
- Water waste prohibition.
- Residential ultra-low-flush toilet replacement programs
- Agricultural water conservation requirements that fully meet the requirements under SBX7 7 that requires suppliers of water to at least 10,000 acres of irrigated agriculture to implement measurement of volume of water delivered, pricing structures that are at least partially based on quantity of water delivered, and implementation of cost-effective and technically feasible water efficient management practices. The Delta Plan also could consider actions or programs to facilitate compliance with these requirements.
- Agricultural water conservation requirements that expand upon objectives under SBX7 7, such as strategies to include all technically feasible efficient management practices.
- Development-Identification and possible requirements that of the most economic local supplies be fully developed prior to increased-reliance on Delta exports - based upon considerations for community, environmental, and energy costs, including but not limited to:
 - Recommendations in the Bay Area Regional Water Recycling Program and the Southern California Water Recycling Projects Initiative.
 - Groundwater treatment to reduce high salinity and metals.
 - Brackish and seawater desalination projects.
- Development of more sustainable and resilient regional water systems, such as:
 - Standards to meet the requirements of the law.
 - Increased requirements for tracking and reporting of supply and use.
 - Recommendations for better enforcement of existing water rights law.
 - Focused on local self-sustainability for future water supplies.
- **Improved Water Conveyance and Storage:**
 - Implementation-Prompt implementation of the BDCP program if the program complies with Water Code section 85320.

- Consideration of modifications to SWP and CVP operations and facilities to become compliant with the December 2008 USFWS Biological Opinion for Delta Smelt and the June 2009 NMFS Biological Opinion on Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, Southern District Population Segment of North American green sturgeon, and Southern Resident killer whales and other subsequent requirements of these and other regulatory agencies.
- Local storage programs to improve capture and subsequent use of stormwater flows, possibly with treatment of dry and wet weather runoff.
- Local storage programs to improve the efficiency of local runoff and Delta exports to maximize diversions during storm events and minimize diversions during low flow periods when flow requirements for fish and wildlife may be critical.
- Expand statewide storage programs to provide additional storage both north and south of the Delta that could be used for a wide range of water uses, including municipal, agricultural, and ecosystem uses, such as:
 - Completion of CALFED Offstream Storage Program that included North of Delta Offstream Storage, new storage for the San Joaquin River watershed, and increased storage at Lake Shasta and Los Vaqueros Reservoir.
 - Integration-Coordinate real-time of the operation of local, regional, state, and federal surface water and groundwater storage to take advantage of wet year water supplies and to reduce shortages during drier years.
- Conveyance programs to integrate-connect local or regional water supply systems to minimize local shortage conditions and increase use of storage and treatment facilities.
- Long-term water supply approaches that could be considered by mid-century when major infrastructure repairs and long-term water contract renewals are considered by the SWP and CVP.

Restore Delta Ecosystem

Sections 85020(a) and (c) address the objectives to manage the Delta's resources of the state over the long term; and restore the Delta ecosystem, including its fisheries and wildlife, as the heart of a healthy estuary and wetland ecosystem. Sections 85302(c) and (e) identify specific measures, subgoals, and strategies that shall be addressed in the Delta Plan to promote a healthy Delta ecosystem.

Alternative implementation measures-strategies to meet these objectives, including specific performance objectives, will include, but not be limited to the following conceptsstrategies, including those described in the Act. These strategies would provide for prompt implementation because improved conditions to the Delta ecosystem may not result immediately.

- Restore large areas of interconnected habitats within the Delta and the Delta watershed.

- Establish migratory corridors along Delta channels.
- Restore Delta flows and channels to support a healthy ecosystem, including consideration of ecosystem-related flow recommendations prepared by the State Water Resources Control Board and Department of Fish and Game in accordance with requirements in the Act.
- Restoration and increased habitat for migratory bird populations in the Delta.
- Increased inundated floodplains, tidal marsh, and channel improvements as described in the Delta Vision Strategic Plan.
- Reduce the populations of non-native fish, wildlife, and plants that threaten or suppress native populations.
- Modify facilities and operations of diversions in the Delta watershed to reduce entrainment of fish and reduce potential for predation, including intakes located throughout the Delta and in the upstream watersheds.
- Implementation of the BDCP ecosystem restoration conservation measures, if the program complies with Water Code section 85320.
- Implementation of suggested reasonable prudent alternative components identified in the December 2008 USFWS Biological Opinion for Delta Smelt and the June 2009 NMFS Biological Opinion on Sacramento River winter-run Chinook salmon, Central Valley spring-run Chinook salmon, Central Valley steelhead, Southern District Population Segment of North American green sturgeon, and Southern Resident killer whales.

Protect and Enhance the Delta as an Evolving Place

Section 85020(b) addresses the objectives to protect and enhance the unique cultural, recreational, and agricultural values of the California Delta as an evolving place. Alternative implementation ~~measures~~ strategies to meet these objectives, including specific performance objectives will include, but not be limited to the following ~~concepts~~ strategies, including those described in the Act.

- Potential inclusion in whole or in part of ~~parts of~~ the Economic Sustainability Plan being developed by the Delta Protection Commission.
- Establishment of a federal and state designation of the Delta as a place of special significance, such as ~~a~~ the currently proposed National Heritage Area legislation, including consideration of a study to be developed by the Delta Protection Commission.
- Expansion of the state parks, including the Delta Trails, within the Delta, including consideration of a study to be developed by the Department of Parks and Recreation for consideration by the Delta Protection Commission in development of the Economic Sustainability Plan.
- Establishment of a program of market incentives to protect and enhance agricultural values, including consideration of a study to be developed by the Department of Food

and Agriculture for consideration by the Delta Protection Commission in development of the Economic Sustainability Plan.

- Land use plan changes that would be required to accommodate up to 55 inches of sea level rise by 2100.
 - Land uses losses to accommodate expanded levees and sea walls.
 - Relocation, abandonment, or provisions for flood protection of existing transportation corridors no longer functional on a long-term basis.
 - Relocation or abandonment of existing drainage, water, and wastewater facilities are no longer functional on a long-term basis.
 - Establishment of critical utility and/or transportation corridors in the Delta that would be designed to withstand major seismic and flood events, and would integrate aesthetically, to the extent possible, with the surrounding land uses.

Improve Water Quality

Sections 85020(e) and 85302(d)(3) address the objectives to improve water quality to protect human health and the environment. Section 85302(e)(5) addresses the objective to improve water quality to meet drinking water, agricultural, and ecosystem long-term goals.

Alternative implementation ~~measures~~ strategies, including specific performance objectives, to meet these objectives will include, but not be limited to the following ~~concepts~~.

- Implement or accelerate programs to reduce sources of chemicals that adversely affect fish and wildlife or human health from urban and agricultural runoff, agricultural return flows, treatment plant discharges, and other discharges including from boats and ships.
- Accelerate programs to increase dissolved oxygen in the Stockton Deep Water Ship Channel and wetlands.
- Accelerate programs to reduce and/or manage salinity in portions of the Delta that are affected by salinity intrusion and/or high salinity runoff in coordination with programs that enhance salinity variability with the purpose of improving the ecosystem.
- Relocation of drainage, discharge, and intake facilities that would be required to accommodate up to 55 inches of sea level rise by 2100.
- Modification of water supply intake facilities that would be required to accommodate changes in ecosystem or land uses that may change water quality.
- Implementation of the BDCP water quality conservation measures, if the program complies with Water Code section 85320.

Reduce Risks to People, Property, and State Interests

Sections 85020(g) and 85305 address the objectives to reduce risks to people, property, and state interests in the Delta by effective emergency preparedness, appropriate land uses, and investments in flood protection. Section 85306 states that the Council, in consultation with the Central Valley Flood Protection Board, shall include recommendations in the Delta Plan for

1 priorities for state investments in levee operation, maintenance, and improvements including
2 levees in the State Plan of Flood Control and ~~nonproject~~non-project levees. Section 85307 states
3 that the Delta Plan may identify actions outside of the Delta and within local plans to improve
4 flood protection in the Delta. This section also requires the Council, in consultation with the
5 Department of Transportation, to address the effects of climate change and sea level rise on the
6 three state highways that cross the Delta.

7 Alternative implementation ~~measures~~ strategies to reduce risks due to floods or levee failure,
8 including specific performance objectives, to meet these objectives will include, but not be
9 limited to the following ~~concepts~~.

- 10 • Emergency preparedness and response strategies that incorporate and may expand
11 strategies developed by California Emergency Management Agency and Department of
12 Water Resources, such as early warning systems and mandatory evacuation programs.
- 13 • Prioritization of investments in levee operation, maintenance, and improvements in the
14 Delta, including both levees that are a part of the State Plan of Flood Control and non-
15 project levees that protect a wide range of land uses and communities.
- 16 • Action need to limit or help avoid ~~Limitation and avoidance of~~ additional risks to lives
17 and property within the study area through:
 - 18 ○ Land use changes to reduce risks.
 - 19 ○ Modification of transportation infrastructure to improve emergency access and
20 evacuation, and transport of people and emergency materials across the Delta..
- 21 • Modification of operations of upstream reservoirs or expansions of bypasses, including
22 areas within the South Delta, to increase accommodation of peak flood flows and
23 possibly improve water supply reliability and provide improved flow regimes for the
24 ecosystem.
- 25 • Implementation of land use buffer zones to accommodate changes in water elevations by
26 the Year 2100 through the removal or avoidance of structures in areas of potential
27 inundation, or consideration of sea walls or levees to protect existing land uses.
- 28 • Actions needed to ~~address the needs of protect~~ Delta energy development, energy storage,
29 and energy distribution, including actions considered by the State Energy Resources
30 Conservation and Development Commission and the Public Utilities Commission.
- 31 • Modify or relocate transportation and utility corridors to accommodate up to 55 inches of
32 sea level rise by 2100.
- 33 • Create a Delta-wide Flood Management and Financing entity.
- 34 • Increase the requirements on property owners to obtain flood insurance for all inherently
35 flood-prone areas in the Delta.

36 These strategies may be evaluated based upon Public Resources Code Section 29704 that
37 states:

"The Legislature further finds and declares that the leveed islands and tracts of the delta and portions of its uplands are floodprone areas of critical statewide significance due to the public safety risks and the costs of public emergency responses to floods, and that improvement and ongoing maintenance of the levee system is a matter of continuing urgency to protect farmlands, population centers, the state's water quality, and significant natural resource and habitat areas of the delta. The Legislature further finds that improvements and continuing maintenance of the levee system will not resolve all flood risks and that the delta is inherently a floodprone area wherein the most appropriate land uses are agriculture, wildlife habitat, and, where specifically provided, recreational activities, and that most of the existing levee systems are degraded and in need of restoration, improvement, and continuing management."

The strategies also may need to consider the November 2003 *Paterno vs. State of California* decision.

Alternative implementation strategies to reduce other risks including fire and water supply reliability that could affect state interests, including specific performance objectives, to meet these objectives will include, but not be limited to the following strategies.

- Expand fire protection to agriculturally-oriented islands and tracts that are not served by community fire protection or CalFire.
- Implementation of the BDCP, if the program addresses methods to reduce risks to people, property, and State interests and complies with Water Code section 85320.

Establish Governance and Financing Plans

Sections 85020(h) addresses the objective to establish a new governance structure a new governance structure with the authority, responsibility, accountability, scientific support, and adequate and secure funding to achieve the policy objectives of the Act.

Alternative implementation strategies, including specific performance objectives, to meet these objectives will include, but not be limited to the following.

- A rigorous data collection system that is available for all agencies to use that will identify surface water and groundwater characteristics; diversion patterns; volume and patterns of water use by all urban, agricultural, business, and industrial users; discharge patterns; and compliance with regulations and environmental commitments of a range of projects.
- Consider requiring all activities involving changes to Delta surface water and groundwater would consider effects upon the regional and statewide water budgets.
- Consider requiring all activities that would be affected by the Delta Plan to consider the economic implications of the actions with full consideration of statewide economic vitality.
- Consider expanding in practice and/or legislation the ability to use eminent domain procedures to further policy objectives of the Act.

- Consider organizational changes for management of state water resources, including suggestions by the Little Hoover Commission August 2010 report, "Managing for Change: Modernizing California's Water Governance."
- Consider a financing plan that could be based upon fees and charges to fund implementation of the Delta Plan recommendations and Delta Stewardship Council activities.

POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROPOSED PROJECT AND POTENTIAL ALTERNATIVES

The Council has determined that an EIR is required for the Delta Plan, and has not prepared an Initial Study prior to preparation of the EIR. The EIR will identify the significant effects of the proposed project and the alternatives in equal level of detail accordance with CEQA Guidelines and in a manner to facilitate future evaluations under NEPA. Mitigation measures or approaches to future mitigation programs will be described to reduce adverse impacts or potentially adverse impacts to a level of less than significant.

The Delta Plan EIR will be a programmatic EIR due to the broad nature of the strategies that will be considered for the Delta Plan. The programmatic approach will result in recommendations or requirements for environmental documentation completed for future covered actions in order to be consistent with the Delta Plan. However, the programmatic nature of the EIR does not limit the applicability of provisions of the Act that designate the Delta Plan as a legally enforceable document.

It is anticipated that if the Council identifies a need for ~~more-site~~-specific implementation plans for the Delta Plan in the future, subsequent environmental analyses would be completed and ~~tiered off of the~~ include the Program EIR results by reference to define the statewide or regional approach to analysis and implementation of portions of the Delta Plan.

The Delta Plan EIR will consider all resources identified in Appendix G, CEQA Checklist in the evaluation of environmental effects. Due to the wide range of alternatives, it is anticipated that significant effects could occur for many of the resources, as summarized below.

- **Aesthetics:** The EIR, consistent with CEQA, will evaluate potential effects on visual resources, such as those that could occur through construction of new facilities, such as expanded flood levees, recycled water facilities, or ecosystem restoration areas. The EIR also will evaluate the potential for effects of light and glare due to new or relocated light sources. The EIR will describe ~~significanee threshold~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a local, regional, and statewide basis.
- **Agricultural-Resources:** The EIR will evaluate potential effects on agricultural ~~resources~~land, such as those that could occur through programs that support or enhance agriculture, conversion of agricultural land or open space for ecosystem restoration or flood management, or methods to protect agricultural lands and communities from future risks, such as enhanced levees or relocated transportation or utility corridors. The EIR will describe ~~significanee threshold~~thresholds of significance or methods to define

significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a local, regional, and statewide basis.

- **Air Quality, Carbon Sequestration, and Greenhouse Gas Emissions-Climate**

Change: The EIR will evaluate potential effects on air quality and odor emissions, such as those that could occur through programs that would require construction, and major operational activities and/or energy for operations that could affect air quality conditions and greenhouse gas emissions. The EIR will identify assumptions for regions that are currently in non-compliance with federal and state air quality standards and the assumptions included in current state implementation plans to provide compliance. The EIR will discuss the potential for future activities that could occur under the alternatives to maintain or improve air quality conditions and reduce or increase greenhouse gas emissions, including potential use of ecosystem restoration actions to reduce carbon emissions from soils, that could contribute to climate changes. The EIR will describe ~~significance thresholds~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on an air quality basin and statewide basis.

- **Biological Resources:** The EIR will evaluate potential effects of implementation of all aspects of the Delta Plan on aquatic and terrestrial biological resources, such as those that reside in or migrate through the Delta and other geographic areas that could be affected by the Delta Plan strategies. The EIR will consider effects that could be considered beneficial to some organisms and adverse to others, such as changes in ecosystem to increase tidal marsh that could reduce freshwater habitat, as identified in the Delta Vision Strategic Plan and as a BDCP conservation measures. The EIR also will consider beneficial and adverse aspects of other BDCP conservation measures, including construction and operation of new and existing conveyance facilities.

The EIR will describe unique and special biological resources in the Delta; habitats that could occur in areas outside of the Delta that could be affected by the Delta Plan alternatives; listed and special-status species in the Delta; wetlands and grasslands in the Delta; existing and planned areas within the Delta including HCPs and NCCPs that have been or are being developed in each Delta county; and general descriptions of listed species in areas outside of the Delta and the impacts to these resources due to plan implementation. The EIR will describe ~~significance thresholds~~thresholds of significance or methods to define significance under various conditions and with consideration of existing policies and regulations that protect biological resources, including biological opinions and county land use mitigation procedures; and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta, Delta watershed, and in areas that use Delta water supplies that could construct facilities or implement programs in response to the Delta Plan alternatives.

- 1 • **Cultural Resources:** The EIR will evaluate potential effects on archeological and
2 historical resources, such as those that could occur through programs that support or
3 enhance these resources, reduction of risks to other land uses or communities, or through
4 implementation of programs to support or enhance water resources or ecosystem
5 conditions. The EIR will identify significant resources within the Delta and potential for
6 these resources in areas outside of the Delta that could be affected by the Delta Plan
7 alternatives. The EIR will describe ~~significance thresholds~~thresholds of significance or
8 methods to define significance under various conditions, and programmatically identify
9 mitigation measures, approaches, or policies that could be considered by future projects
10 to reduce the effects to a level of less than significant. The potential for effects would be
11 addressed on a local, regional, and statewide basis.
- 12 • **Economics:** The EIR will evaluate potential changes in land use, infrastructure,
13 environmental resources, and risk potential to ~~these resources~~determine the economic or
14 social effects that may cause environmental changes, such as changes based on a wide
15 variety of factors, and consistent with CEQA, including availability of affordable water
16 supplies, viable communities with projected land use and employment changes that can
17 provide affordable public services, and utility and transportation corridors that facilitate
18 reliable and affordable commerce. If such changes occur, The EIR will describe
19 ~~significance thresholds~~thresholds of significance or methods to define significance under
20 various conditions, and programmatically identify mitigation measures, approaches, or
21 policies that could be considered by future projects to reduce the effects to a level of less
22 than significant. The potential for effects would be addressed in the Delta and on a
23 regional and statewide basis.
- 24 • **Energy Resources:** The EIR will, consistent with CEQA, evaluate potential effects on
25 sustainability of energy resources on the electrical grid that serves throughout the state
26 and ~~the~~ western United States, such as those that could occur through construction
27 activities, and changes to the ability to develop or use of energy resources in the Delta,
28 such as changes due to sea level rise or levee failure risks. The EIR will identify the
29 potential for significant resources within the Delta, including natural gas wells and
30 conveyance and peat soils, and in areas outside of the Delta that could be affected by the
31 Delta Plan alternatives. The EIR will describe ~~significance thresholds~~thresholds of
32 significance or methods to define significance under various conditions, and
33 programmatically identify mitigation measures, approaches, or policies that could be
34 considered by future projects to reduce the effects to a level of less than significant. The
35 potential for effects would be addressed within the Delta and on a statewide and western
36 United States basis.
- 37 • **Geology, Soils, and Seismicity:** The EIR will evaluate potential effects on geology and
38 soils resources, such as those that could occur through construction activities, changes to
39 risk potential, and improvements such as programs to reverse subsidence that could be
40 considered in the alternatives. The EIR will address critical geological and soil
41 considerations, such as fault zones, potential for liquefaction and subsidence, potential for
42 levee or embankment failures, soils that support agriculture, and soils that support
43 construction. The analyses would consider potential changes in erosion patterns and
44 geomorphology that could occur due to changes in amounts and patterns of precipitation.

The EIR will describe ~~significance threshold~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a regional and statewide basis.

- **Hazards and Hazardous Materials:** The EIR will evaluate potential effects of environmental hazards and risks to due to exposure to hazardous materials, including naturally occurring materials, such as those that could occur due to changes in land uses, construction or operations activities in the Delta Plan alternatives, exposure due to sea level rise, or exposure following a catastrophic event such as levee failures. The EIR will describe ~~significance threshold~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a regional and statewide basis.

- **Hydrology and Water Quality:** The EIR will evaluate potential effects on surface water and groundwater resources, such as those that occur within the Delta, the Delta watershed, and regions of the state that could be affected by the Delta Plan alternatives. The EIR also will address the ability for water supplies to support flow patterns and appropriate water quality required for existing and projected water demands of municipal/industrial and agricultural users within the Delta and the areas that use Delta water, and the ecosystem habitats within the Delta and the tributary watershed. The EIR will address the potential for changes in flow patterns, volume, and erosion potential that could increase flood risks or changes in geomorphology that could result in subsequent changes in the surface water resources. The analyses would be conducted assuming existing sea level and hydrological conditions and a range of future conditions due to sea level rise and changes in storm patterns that could modify the ratio of snowfall to rainfall, total amount of precipitation, and seasonal timing of storm events that would affect water supplies and flow patterns. The EIR will describe ~~significance threshold~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta and on a regional and statewide basis.

- **Land Use and Planning:** The EIR will evaluate potential for conflicts with existing land use policies and effects on land uses, such as those that could occur through programs that support or enhance the Delta communities, ecosystem restoration, flood management, or water supply reliability within the Delta and in areas that use Delta water supplies. The EIR will consider the compatibility of existing and potential land use changes considered by the Delta Plan alternatives ~~and with~~ other programs developed by other agencies, such as the Delta Protection Commission. The EIR will describe ~~significance threshold~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less

than significant. The potential for effects would be addressed in the Delta and on a regional and statewide basis.

- **Mineral Resources:** ~~The Consistent with CEQA, the~~ EIR will evaluate potential effects on the sustainability of Delta mineral resources, such as those that could occur through construction activities, and changes to the ability to develop or use of mineral resources in the Delta, such as changes due to sea level rise or levee failure risks. The EIR will identify the potential for significant resources within the Delta, including natural gas wells and conveyance ~~facilities that could effect available energy supplies~~ and peat soils, and in areas outside of the Delta that could be affected by the Delta Plan alternatives. The EIR will describe ~~significance thresholds~~ thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a regional and statewide basis.
- **Noise:** The EIR will evaluate potential effects of noise on different types of communities, land uses, and ecosystems, such as those that could occur due to changes in land uses, construction or operations activities in the Delta Plan alternatives, or changes in recreation activities. The EIR will discuss existing policies of local agencies to reduce the effects of noise. The EIR will describe ~~significance thresholds~~ thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a local, regional, and statewide basis.
- **Paleontological Resources:** The EIR will evaluate potential effects on paleontological resources, such as those that could occur through construction activities in the Delta Plan alternatives. The EIR will identify the potential for significant resources within the Delta and in areas outside of the Delta that could be affected by the Delta Plan alternatives. The EIR will describe ~~significance thresholds~~ thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed on a regional and statewide basis.
- **Population, Employment, and Housing:** ~~The Consistent with CEQA, the~~ EIR will evaluate potential for changes in population and employment and associated housing availability, such as those that could occur through programs that support or enhance the Delta communities, change agricultural or recreational activities, benefit or adversely effect ecosystem restoration, flood management, or water supply reliability within the Delta and in areas that use Delta water supplies. The EIR will consider the compatibility of these changes with the existing and projected population characteristics to determine the economic and social effects that may cause environmental change. If such changes occur, The EIR will describe ~~significance thresholds~~ thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects

to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta and on a regional and statewide basis.

- **Recreation:** The EIR will evaluate potential effects on recreational activities within the Delta and on reservoirs and waterways that could be affected by changes in Delta water management, such as those that could occur through programs that support or enhance recreational activities, Delta communities, ecosystem restoration, flood management, water supplies, or water quality. The analyses would include water-based actions including boating and water skiing, land-based activities including hiking, and other activities including bird watching. The EIR will describe ~~significance thresholds~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta and on a regional basis.
- **Transportation and Traffic:** The EIR will evaluate potential effects on transportation activities within the Delta, including land-based corridors, such as roads, highways, railroads, and airports; and water-based, such as the Sacramento and Stockton deep water ship channels and smaller waterways that serve as access corridors for recreational, commercial, and emergency boats. The EIR will address risks to these corridors that could occur due to levee failures and sea level rise, and potential effects due to modification of these corridors or adjacent land uses as part of other actions, such as water supply operations or ecosystem restoration. The EIR will describe ~~significance thresholds~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta.
- **Utilities and Public Services:** ~~The Consistent with CEQA, the~~ EIR will evaluate potential effects on utilities, including electric, communications, and drainage facilities; and public services, such as schools, local parks, law enforcement, fire protection, emergency services, libraries, and other public services within the Delta. The EIR will address potential direct effects that could occur due to construction and operation activities or modification of land uses or transportation corridors in the Delta Plan alternatives. The EIR also will address potential effects due to ability to fund public services due to changes in the community and employment in the Delta Plan Alternatives. The EIR will describe ~~significance thresholds~~thresholds of significance or methods to define significance under various conditions, and programmatically identify mitigation measures, approaches, or policies that could be considered by future projects to reduce the effects to a level of less than significant. The potential for effects would be addressed within the Delta.

The EIR also will address secondary growth-inducing impacts, potential effects on Tribal Trusts throughout the state, and potential environmental justice effects that could occur due to implementation of the Delta Plan alternatives. The EIR also will identify other programs that are being conducted concurrently or are being considered in the future, and evaluate the potential for cumulative impacts that could occur with concurrent implementation. The EIR also will consider

the relationship between short-term uses of the environment with potential adverse effects as compared to long-term benefits.

PROJECT SCOPING PROCESS

Written comments from interested parties, responsible and trustee agencies, and federal agencies are requested and invited to ensure that the full range of issues related to the development of the Delta Plan are identified. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. Written comments will be accepted until 5 pm on XXX. Written comments should be sent to:

XXXX

Public scoping meetings are scheduled to take place at the following times and locations.

- Northern Sacramento Valley, California
- Sacramento, California
- Northern Delta, California
- Southern Delta, California
- San Francisco Bay Area
- San Joaquin Valley, California
- Southern California, California

The meeting will include a brief overview of the Delta Plan process followed by public comments that will be transcribed.

A scoping report will be prepared following the scoping process to compile all of the comments received.

**ATTACHMENT 1: INITIAL LIST OF FEDERAL AND STATE RESPONSIBLE AND
TRUSTEE AGENCIES AND TRIBES FOR DEVELOPMENT OF THE DELTA PLAN
ENVIRONMENTAL IMPACT REPORT**

FEDERAL AGENCIES

U.S. Environmental Protection Agency
U.S. Department of the Interior
Bureau of Reclamation
U.S. Fish and Wildlife Service
U.S. Department of Commerce
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
Natural Resource Conservation Service
U.S. Army Corps of Engineers
U.S. Forest Service
Western Area Power Administration

STATE AGENCIES

California Air Resources Control Board
California Coastal Commission
California Department of Boating and Waterways
California Department of Energy
California Department of Fish and Game
California Department of Food and Agriculture
California Department of Public Health
California Department of Transportation
California Department of Water Resources
California Emergency Management Agency
California Energy Commission
California Public Utilities Commission
California State Parks
Central Valley Flood Protection Board
Delta Protection Commission,
Sacramento-San Joaquin Delta Conservancy
San Francisco Bay Conservation and Development Commission
State Historic Preservation Office/Office of Historic Preservation
State Lands Commission
State Water Resources Control Board and Regional Water Quality Control Boards

LOCAL AGENCIES

Delta Counties

Alameda County
Contra Costa County
Sacramento County
San Joaquin County
Solano County

- 1 Yolo County
- 2 **Delta Cities**
- 3 Antioch, City of
- 4 Brentwood, City of
- 5 Isleton, City of
- 6 Oakley, City of
- 7 Pittsburg, City of
- 8 Rio Vista, City of
- 9 Stockton, City of
- 10 Elk Grove, City of
- 11 Tracy, City of
- 12 Lathrop, City of
- 13 Sacramento, City of
- 14 West Sacramento, City of
- 15
- 16 **Delta Special Districts**
- 17 Bethel Island Municipal Improvement District
- 18 Byron Bethany Irrigation District
- 19 Central Delta Water Agency
- 20 Contra Costa Water District
- 21 Delta Diablo Sanitation District
- 22 Diablo Water District
- 23 Discovery Bay Community Services District
- 24 East Bay Municipal Utility District
- 25 East Contra Costa Water Irrigation District
- 26 Freeport Regional Water Authority
- 27 Ironhouse Sanitary District
- 28 Maine Prairie Water District
- 29 Naglee Burk Irrigation District
- 30 North Delta Water Agency
- 31 North Delta Water Agency
- 32 Reclamation District 1
- 33 Reclamation District 1007
- 34 Reclamation District 150
- 35 Reclamation District 1607
- 36 Reclamation District 1608
- 37 Reclamation District 1667
- 38 Reclamation District 2
- 39 Reclamation District 2023
- 40 Reclamation District 2024
- 41 Reclamation District 2025
- 42 Reclamation District 2026
- 43 Reclamation District 2027
- 44 Reclamation District 2028
- 45 Reclamation District 2029
- 46 Reclamation District 2030

1 Reclamation District 2031
2 Reclamation District 2032
3 Reclamation District 2035
4 Reclamation District 2038
5 Reclamation District 2039
6 Reclamation District 2040
7 Reclamation District 2041
8 Reclamation District 2042
9 Reclamation District 2044
10 Reclamation District 2059
11 Reclamation District 2060
12 Reclamation District 2065
13 Reclamation District 2067
14 Reclamation District 2072
15 Reclamation District 2074
16 Reclamation District 2086
17 Reclamation District 2090
18 Reclamation District 2093
19 Reclamation District 2094
20 Reclamation District 2095
21 Reclamation District 2098
22 Reclamation District 2108
23 Reclamation District 2110
24 Reclamation District 2111
25 Reclamation District 2112
26 Reclamation District 2113
27 Reclamation District 2114
28 Reclamation District 2115
29 Reclamation District 2116
30 Reclamation District 2117
31 Reclamation District 2118
32 Reclamation District 2119
33 Reclamation District 2120
34 Reclamation District 2122
35 Reclamation District 2126
36 Reclamation District 2127
37 Reclamation District 2130
38 Reclamation District 2137
39 Reclamation District 3
40 Reclamation District 307
41 Reclamation District 317
42 Reclamation District 341
43 Reclamation District 348
44 Reclamation District 349
45 Reclamation District 369
46 Reclamation District 38

- 1 Reclamation District 403
- 2 Reclamation District 404
- 3 Reclamation District 407
- 4 Reclamation District 501
- 5 Reclamation District 524
- 6 Reclamation District 536
- 7 Reclamation District 537
- 8 Reclamation District 544
- 9 Reclamation District 548
- 10 Reclamation District 551
- 11 Reclamation District 554
- 12 Reclamation District 556
- 13 Reclamation District 563
- 14 Reclamation District 684
- 15 Reclamation District 744
- 16 Reclamation District 755
- 17 Reclamation District 756
- 18 Reclamation District 765
- 19 Reclamation District 773
- 20 Reclamation District 799
- 21 Reclamation District 800
- 22 Reclamation District 813
- 23 Reclamation District 828
- 24 Reclamation District 828
- 25 Reclamation District 830
- 26 Reclamation District 900
- 27 Reclamation District 999
- 28 Sacramento County Flood Control Agency
- 29 Sacramento County Regional Sanitation District
- 30 Sacramento County Water Agency
- 31 San Joaquin County Flood Control and Water Control District
- 32 Solano County Water Agency
- 33 South Delta Water Agency
- 34 South San Joaquin Irrigation District
- 35 Stockton East Water District
- 36 Westside Irrigation District
- 37 Woodbridge Irrigation District
- 38 Yolo County Flood Control and Water Control District
- 39 **Delta Ports**
- 40 Port of Stockton
- 41 Port of West Sacramento
- 42 **Delta Fire Districts**
- 43 Contra Costa Fire Protection District
- 44 Courtland Fire Protection District
- 45 Delta Fire Protection District
- 46 Delta-Clarksburg Fire Protection District

- 1 Delta-Sacramento City Fire Protection District
- 2 East Contra Costa Fire Protection District
- 3 Elk Grove/Cosumnes Fire Protection District
- 4 Isleton Fire Protection District
- 5 Montezuma Fire Protection District
- 6 No Man's Fire Protection District
- 7 Rio Vista Fire Protection District
- 8 Ryer Island Fire Protection District
- 9 San Joaquin/Stockton Fire Department
- 10 Walnut Grove Fire Protection District
- 11 West Sacramento Fire Protection District
- 12 **Delta Parks and Conservancies**
- 13 Brentwood Agricultural Trust
- 14 Central Valley Farmland Trust and Yolo Land Trust
- 15 Cosumnes River Preserve Partners
- 16 East Bay Regional Park District
- 17 East Contra Costa County HCP/NCCP
- 18 Sacramento Valley Conservancy
- 19 San Joaquin Council of Governments MSHCP and Open Space Plan
- 20 Solano Land Trust
- 21 Suisun Resources Conservation District
- 22 Trust for Public Lands
- 23 Yolo Basin Foundation
- 24 **Delta Vector Abatement Districts**
- 25 Contra Costa County Mosquito Vector Control District
- 26 Sacramento-Yolo Mosquito Vector Control District
- 27 San Joaquin County Mosquito Vector Control District
- 28 Solano County Mosquito Abatement District

29

30 **CENTRAL VALLEY PROJECT WATER CONTRACTORS, SACRAMENTO RIVER**

31 **SETTLEMENT CONTRACTORS, AND SAN JOAQUIN RIVER EXCHANGE**

32 **CONTRACTORS**

- 33 4E Water District
- 34 4M Water District
- 35 Anderson-Cottonwood Irrigation District
- 36 Arvin Edison Water Storage District
- 37 Banta Carbona Irrigation District
- 38 Bella Vista Wter District
- 39 Broadview Water District
- 40 Byron Bethany Irrigation District
- 41 Carter Mutual Water Company
- 42 Centerville Community Services District
- 43 Central San Joaquin Water Conservation District
- 44 Chowchilla Water District
- 45 City of Avenal
- 46 City of Coalinga

- 1 City of Folsom
- 2 City of Fresno
- 3 City of Huron
- 4 City of Redding
- 5 City of Roseville
- 6 City of Sacramento
- 7 City of Shasta Lake
- 8 City of Tracy
- 9 City of West Sacramento
- 10 Clear Creek Community Services District
- 11 Coelho Trust
- 12 Colusa County Water District
- 13 Colusa Drain Mutual Water Company
- 14 Conaway Conservancy Group
- 15 Contra Costa Water District
- 16 Corning Water District
- 17 Cortina Water District
- 18 County of Colusa
- 19 County of Fresno
- 20 County of Madera
- 21 County of Sacramento
- 22 County of Tulare
- 23 Davis Water District
- 24 Del Puerto Water District
- 25 Delano-Earlimart Irrigation District
- 26 Department of Veterans Affairs (cemetery)
- 27 Dunnigan Water District
- 28 Eagle Field Water District
- 29 East Bay Municipal Utility District
- 30 Eastside Mutual Water Company
- 31 El Dorado Irrigation District
- 32 Elk Creek Community Services District
- 33 Exeter Irrigation District
- 34 Fresno County WW #18
- 35 Fresno Irrigation District
- 36 Fresno Slough Water District
- 37 Garfield Water District
- 38 Glenn-Colusa Irrigation District
- 39 Glenn Valley Water District
- 40 Glide Water District
- 41 Gravely Ford Water District
- 42 Hills Valley Irrigation District
- 43 Holthouse Water District
- 44 International Irrigation District
- 45 Ivanhoe Irrigation District
- 46 James Irrigation District

- 1 Kanawha Water District
- 2 Kern-Tulare Irrigation District
- 3 Kirkwood Water District
- 4 La Grande Water District
- 5 Laguna Water District
- 6 Lewis Creek Water District
- 7 Lindmore Irrigation District
- 8 Lindsay-Strathmore Irrigation District
- 9 Lower Tule River Irrigation District
- 10 Madera Irrigation District
- 11 Mercy Springs Water District
- 12 Meridian Farms Water Company
- 13 Mountain Gate Community Services District
- 14 Myers-Marsh Mutual Water Company
- 15 Natomas Basin Conservancy
- 16 Natomas Central Mutual Water Company
- 17 Orange Cove Irrigation District
- 18 Orland-Artois Water District
- 19 Oro Loma Water District
- 20 Pacheco Water District
- 21 Pajaro Valley Water Management Agency
- 22 Panoche Water District
- 23 Patterson Water District
- 24 Pelger Mutual Water Company
- 25 Pixley Irrigation District
- 26 Placer County Water Agency
- 27 Plain View Water District
- 28 Pleasant Grove-Verona Mutual Water Company
- 29 Porterville Irrigation District
- 30 Princeton-Codora-Glenn Irrigation District
- 31 Proberta Water District
- 32 Provident Irrigation District
- 33 Rag Gulch Water District
- 34 Reclamation District #108
- 35 Reclamation District #900 and 1000
- 36 Reclamation District #1004
- 37 Reclamation District #1606
- 38 Sacramento County Water Agency
- 39 Sacramento Municipal Utility District
- 40 San Benito County Water District
- 41 San Juan Water District
- 42 San Luis Water District
- 43 Santa Clara Valley Water District
- 44 Saucelito Irrigation District
- 45 Shafter-Wasco Irrigation District
- 46 Shasta Community Services District

- 1 Shasta County Service Area - Keswick #25
- 2 Shasta County Water Agency
- 3 South San Joaquin Municipal Utility District
- 4 Stone Corral Irrigation District
- 5 Stony Creek Water District
- 6 Sutter Mutual Water Company
- 7 Tea Pot Dome Water District
- 8 Terra Bella Irrigation District
- 9 Thomes Creek Water District
- 10 Tranquility Irrigation District
- 11 Tranquility Public Utility District
- 12 Tri-Valley Irrigation District
- 13 Tulare County
- 14 Tulare Irrigation District
- 15 Tuolumne Utilities District
- 16 Westlands Water District
- 17 West Side Irrigation District
- 18 Westside Water District
- 19 West Stanislaus Irrigation District

20

21 **STATE WATER PROJECT WATER CONTRACTORS**

- 22 Alameda County Flood Control and Water Conservation District, Zone 7
- 23 Alameda County Water District
- 24 Antelope Valley-East Kern Water Agency
- 25 Castaic Lake Water Agency
- 26 City of Yuba City
- 27 Coachella Valley Water District
- 28 County of Butte
- 29 County of Kings
- 30 Crestline Lake - Lake Arrowhead Water Agency
- 31 Desert Water Agency
- 32 Dudley Ridge Water District
- 33 Empire West Side Irrigation District
- 34 Garden Highway Water Company
- 35 Joint Water Districts Board
- 36 Kern County Water Agency
- 37 Kings County
- 38 Last Chance Creek Water District
- 39 Littlerock Creek Irrigation District
- 40 Metropolitan Water District of Southern California
- 41 Mojave Water Agency
- 42 Napa County Flood Control and Water Conservation District
- 43 Oak Flat Water District
- 44 Oroville-Wyandotte Irrigation District
- 45 Oswald Water District
- 46 Palmdale Water District

1 Plumas County Flood Control and Water Conservation District
2 Plumas Mutual Water Company
3 San Bernardino Valley Municipal Water District
4 San Gabriel Valley Municipal Water District
5 San Geronio Pass Water Agency
6 San Luis Obispo County Flood Control and Water Conservation District
7 Santa Barbara County Flood Control and Water Conservation District
8 Santa Clara Valley Water District
9 Solano County Water Agency
10 Thermalito Irrigation District
11 Tudor Mutual Water Company
12 Tulare Lake Basin Water Storage District
13 Ventura County Watershed Project District
14 Western Canal Water District

15
16 **CALIFORNIA NATIVE AMERICAN INDIAN TRIBES (will be expanded)**

17 Cachil Dehe Band of Wintu Indians of the Colusa Indian Community
18 Hoopa Valley Tribal Council
19 Redding Rancheria Tribe

20 The California Native American Heritage Commission has been contacted to identify a list of
21 federally-recognized Native American Indian Tribes within the Planning Area.
22